

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 723

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO PUBLIC SCHOOL FUNDING; AMENDING CHAPTER 10, TITLE 33, IDAHO
2 CODE, BY THE ADDITION OF A NEW SECTION 33-1029, IDAHO CODE, TO PROVIDE
3 THAT IN CERTAIN FISCAL YEARS, STUDENT ENROLLMENT SHALL BE USED INSTEAD
4 OF AVERAGE DAILY ATTENDANCE IN ANY FORMULA OR CALCULATION IN WHICH AV-
5 ERAGE DAILY ATTENDANCE IS A FACTOR, TO PROVIDE CERTAIN AUTHORITY TO THE
6 STATE BOARD OF EDUCATION AND STATE DEPARTMENT OF EDUCATION, AND TO PRO-
7 VIDE FOR A LEGISLATIVE STUDY COMMITTEE; AND DECLARING AN EMERGENCY.
8

9 Be It Enacted by the Legislature of the State of Idaho:

10 SECTION 1. That Chapter 10, Title 33, Idaho Code, be, and the same is
11 hereby amended by the addition thereto of a NEW SECTION, to be known and des-
12 ignated as Section 33-1029, Idaho Code, and to read as follows:

13 33-1029. ENROLLMENT AS SUBSTITUTE FOR AVERAGE DAILY ATTENDANCE --
14 AGENCY AUTHORITY -- STUDY COMMITTEE. (1) Notwithstanding any provision of
15 law to the contrary, for fiscal years 2023 and 2024, student enrollment shall
16 be used as a factor instead of average daily attendance in any formula or
17 calculation provided by law or rule in which average daily attendance is a
18 factor.

19 (2) The state board of education and the state department of education
20 are authorized to take such actions as are necessary to implement the provi-
21 sions of this section, including the promulgation of any necessary rules.

22 (3) The legislative council is hereby authorized to appoint a study
23 committee to review the public school funding formula. The committee shall:

24 (a) Consist of at least four (4) members of the senate and four (4) mem-
25 bers of the house of representatives;

26 (b) Include members from both the majority and minority caucuses in
27 each house of the legislature;

28 (c) Be appointed no later than June 1, 2022; and

29 (d) Present its findings and recommendations, if any, to the senate and
30 house of representatives education committees for use in the comprehen-
31 sive review by such committees required under section 33-1026, Idaho
32 Code.

33 SECTION 2. An emergency existing therefor, which emergency is hereby
34 declared to exist, this act shall be in full force and effect on and after its
35 passage and approval.